

December 12, 2011

United States  
District Court Clerk  
333 Lomas Blvd. NW.  
Suite 270  
Albuquerque, NM 87102

Bruce D Black  
United States  
District Judge

This protest is in regard to acreage that lies within the Canones Subsection. The property in question is 14.5 acres of the El Barranco LLC., File number SD 02923, Subfile CHCC-003-0012-D that the NMOSE during their Hydrographic Survey HS 2002-12-31 erroneously assumed that water leaking out of the Sanchez Y Chavez Ditch in two locations was intentionally being used for irrigation. This leakage occurs annually, not only in this location but other locations as well, as a result of damages caused by the livestock being grazed in the El Barranco LLC properties where they cross continuously. Repairs and maintenance to the Sanchez y Chavez Ditch are performed solely by Sanchez y Chavez Ditch owners and none by the El Barranco LLC, property owners.

The source of water to irrigate these 14.5 acres is from the Barranco Ditch via culvert under the Sanchez y Chavez Ditch and a plastic pipe over the Sanchez y Chavez Ditch approximately 100 yards down stream of the underground culvert.

There have never been any Head Gates or Lateral ditches coming from the Sanchez y Chavez Ditch to any part of the acreage in question. I have raised this concern to Mr. Edward Newville a number of times in the past and his response has always been that he would take care of it. I scheduled a meeting with Mr. Newville for 12/05/11 but due to weather conditions he could not be present. I was directed to Kent and Buck (OSE) where we looked at the maps and other documents and explained to them my concern based on this information. Kent and Buck stated that the site could be revisited. We had a conference call with Mr. Newville and I again went over all of this information with him. Mr. Newville at this point suggested I submit my protest in writing to the District Court.

I would like to request the survey team revisit the site with all the parties involved so that we could settle this matter amicably and that would best benefit all concerned.

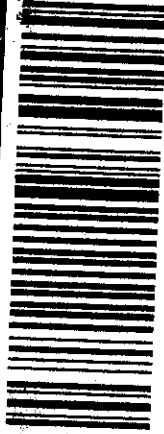
Sincerely,

  
Miguel R. Sanchez  
Representing the Sanchez y Chavez Ditch

Exhibit "A"

Miguel R. Sanchez  
PO Box 131  
Los Ojos, NM 87551-0131

CERTIFIED MAIL<sup>TM</sup>



7006 0100 0001 7771 9356

13 DEC 2011



RETURN RECEIPT  
REQUESTED

RECEIVED  
At Albuquerque NM

DEC 14 2011

MATTHEW J. DYKMAN  
Clerk

judg  
6/10

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